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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
AARON IRIBE, and  
DANIEL LOPEZ,  
  
Defendants.

CASE NO. 2:21-CR-189-DJC

STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
FINDINGS AND ORDER

DATE: July 6, 2023

TIME: 9:00 a.m.

COURT: Hon. Daniel J. Calabretta

**STIPULATION**

1. By previous order, this matter was set for status on June 26, 2023, before the Honorable Kimberly J. Mueller, and time was excluded through that date under Local Code T4. ECF No. 90.

2. On April 6, 2023, this case was reassigned to the Honorable Daniel J. Calabretta for all further proceedings. The previously scheduled June 26, 2023, status hearing was vacated and the parties were directed to “consult Judge Calabretta’s webpage, select an available date on his criminal law and motion calendar, and set the matter for hearing before the reassigned judge.” ECF No. 91.

3. By this stipulation, the parties request to set a status hearing for July 6, 2023, and to exclude time between June 26, 2023, and July 6, 2023, under Local Code T4.

4. The parties agree and stipulate, and request that the Court find the following:

1 a) The government has represented that the discovery associated with this case  
2 includes approximately 148 pages of reports, search warrants, and other documents, as well as  
3 multiple audio and video recordings and the contents of seized cell phones. All of this discovery  
4 has been either produced directly to counsel and/or made available for inspection and copying.

5 b) On October 11, 2022, defendant Daniel Lopez made his initial appearance in this  
6 district and attorney Mark Reichel was appointed to represent him. ECF No. 59.

7 c) Counsel for defendants desire additional time to review this discovery, conduct  
8 factual investigation, evaluate the charges and potential defenses, consult with their respective  
9 clients, and otherwise prepare for trial.

10 d) Counsel for defendants believe that failure to grant the above-requested  
11 continuance would deny them the reasonable time necessary for effective preparation, taking into  
12 account the exercise of due diligence.

13 e) The government does not object to the continuance.

14 f) Based on the above-stated findings, the ends of justice served by continuing the  
15 case as requested outweigh the interest of the public and the defendant in a trial within the  
16 original date prescribed by the Speedy Trial Act.

17 g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
18 et seq., within which trial must commence, the time period of June 26, 2023 to July 6, 2023,  
19 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]  
20 because it results from a continuance granted by the Court at defendant's request on the basis of  
21 the Court's finding that the ends of justice served by taking such action outweigh the best interest  
22 of the public and the defendant in a speedy trial.

23 5. Nothing in this stipulation and order shall preclude a finding that other provisions of the  
24 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial  
25 must commence.

26 IT IS SO STIPULATED.  
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1 Dated: April 26, 2023

PHILLIP A. TALBERT  
United States Attorney

2  
3 /s/ DAVID W. SPENCER  
DAVID W. SPENCER  
Assistant United States Attorney

4  
5 Dated: April 26, 2023

/s/ Jennifer Mouzis  
Jennifer Mouzis  
Counsel for Defendant  
AARON IRIBE

6  
7 Dated: April 26, 2023

/s/ Mark Reichel  
Mark Reichel  
Counsel for Defendant  
DANIEL LOPEZ

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11  
12 **ORDER**

13 IT IS SO FOUND AND ORDERED this 27<sup>th</sup> day of April, 2023.

14  
15 /s/ Daniel J. Calabretta  
16 THE HONORABLE DANIEL J. CALABRETTA  
17 UNITED STATES DISTRICT JUDGE  
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